



February 22, 2001

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## HOUSE BILL No. 1985

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DIGEST OF HB 1985 (Updated February 21, 2001 11:53 AM - DI 97)

**Citations Affected:** IC 20-10.1.

**Synopsis:** Release of student information. Authorizes a school corporation or other entity to which the federal Family Educational and Privacy Rights Act applies to release education records to a juvenile justice agency.

**Effective:** July 1, 2001.

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**Adams T, Munson**

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January 17, 2001, read first time and referred to Committee on Education.  
February 21, 2001, reported — Do Pass.

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HB 1985—LS 7031/DI 51+



February 22, 2001

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

## HOUSE BILL No. 1985

A BILL FOR AN ACT to amend the Indiana Code concerning education.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1       SECTION 1. IC 20-10.1-22.4-3 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2001]: **Sec. 3. (a) A school corporation or**  
4 **other entity to which the education records privacy provisions of**  
5 **the federal Family Educational and Privacy Rights Act (20 U.S.C.**  
6 **1232g) applies may disclose or report on the education records of**  
7 **a child, including personally identifiable information contained in**  
8 **the education records, without the consent of the child's parent,**  
9 **guardian, or custodian, under the following conditions:**  
10       (1) The disclosure or reporting of education records is to a  
11       state or local juvenile justice agency (as defined in  
12       IC 5-2-5.1-6).  
13       (2) The disclosure or reporting relates to the ability of the  
14       juvenile justice system to serve, prior to adjudication, the  
15       student whose records are being released.  
16       (3) The juvenile justice agency (as defined in IC 5-2-5.1-6)  
17       receiving the information certifies, in writing, to the entity

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1 providing the information that the agency or individual  
2 receiving the information has agreed not to disclose it to a  
3 third party, other than another juvenile justice agency,  
4 without the consent of the child's parent, guardian, or  
5 custodian.

6 (b) For purposes of subsection (a)(2), a disclosure or reporting  
7 of education records concerning a child who has been adjudicated  
8 as a delinquent child shall be treated as related to the ability of the  
9 juvenile justice system to serve a child prior to adjudication if the  
10 juvenile justice agency (as defined in IC 5-2-5.1-6) seeking the  
11 information provides sufficient information for the keeper of the  
12 education records to determine that the juvenile justice agency  
13 seeks the information in order to identify and intervene with a  
14 juvenile at risk of delinquency, rather than to obtain information  
15 solely related to supervision of the adjudicated delinquent child.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1985, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

PORTER, Chair

Committee Vote: yeas 11, nays 0.

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